

REMARKS

The Applicant has now had an opportunity to carefully consider the comments set forth in the Final Office Action of November 4, 2004. Reexamination and reconsideration in light of the following remarks are respectfully requested.

The Office Action

In the Final Office Action mailed November 4, 2004:

Claims 2-4, 6-7, 9-11, 15, 18 20-21 and 23-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over by U.S. Patent No. 6,466,799 to Torrey, et al. ("Torrey") in view of U.S. Patent No. 5,940,756 to Sibecas, et al. ("Sibecas").

Finality of the Rejection

"Under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement filed during the period set forth in 37 C.F.R. 1.97(c) with the fee set forth in 37 C.F.R. 1.17(p)." (MPEP 706.07(a)) (Emphasis Added)

It is respectfully submitted that the new grounds of rejection (citing Sibecas) were not necessitated by the applicant's amendment of the claims, nor are they based on information submitted in an information disclosure statement filed during the period set forth in 37 C.F.R. 1.97(c). It is respectfully submitted that the amendments to **claims 4, 7, 15 and 18** merely placed previously claimed subject matter in independent form. The amendments to **claims 2, 3, 6, 9, 11 and 20** simply change the claims from which the dependent claims depend. The new **claims 23-30**, which were added, recite subject matter similar to that recited in original **claims 9, 10, 20, 21, 2, 3, 6 and 11**, respectively. New **claims 31 and 32** include subject matter originally recited in **claims 13 and 14**.

"A second or any subsequent action on the merits of any application or patent involved in reexamination proceedings should not be made final if it includes a rejection, on prior art not of record, of any claim amended to include limitations which should reasonably have been expected to be claimed." (MPEP 706.07(a), third paragraph) (Emphasis Added)

It is respectfully submitted that amendments placing claims in independent form

and reciting subject matter in combination with those newly independent claims should reasonably have been expected. Reconsideration and withdrawal of the finality of the rejection are respectfully requested.

The Present Application

By way of brief review, the present application is directed toward methods and systems for providing communications connectivity to wire line phones through the services of a cellular handset or device. A converter unit contains a mobile converter unit and a land line interface unit. The mobile converter unit converts cellular signals from the cellular handset into land line signals understandable by, or needed by, the wire line devices. For example, the mobile converter converts alert, message waiting and call waiting cellular signals to ringing, message waiting and call waiting signals compatible with wire line phones. The land line interface unit converts signals generated by the wire line devices into those understood by the cellular handset. For example, the land line interface unit converts touch tone signals to dialed digit information, translates flash signals and generates end of dial signals for the cellular handset. The land line interface unit also provides dial tone when a connected wire line device goes "off-hook".

The Cited References

The primary reference of the Office Action to Torrey allegedly discloses a communications premises station system for receiving a hand held wireless communications device, which communicates with a wireless network and has a premises station interface. The communications premises station system has one or more telephonic interfaces for communicating with one or more telephonic devices (e.g., telephones, facsimile machines, computers). When the hand held wireless communications device is placed in a premises station cradle, the hand held wireless communications device electrically connects to the communications premises station system. A call processing element of the communications premises stations system exchanges signaling information with the hand held wireless communications device, and converts incoming signals from the hand held wireless communications device to incoming signals to the telephonic device, and converts outgoing signals from the telephonic device to outgoing signals to the handheld wireless communications device. In this manner, when the hand held wireless communications device is placed in the premises station, wireless telephonic calls can be placed from and received by a telephonic device connected to the communications premises station (Abstract).

As stipulated by the Office Action, Torrey fails to disclose converting call waiting tones, message waiting signals, DTMF tones or flash signals. Additionally, Torrey fails to disclose or suggest a converter adapted to accept a plurality of cellular telephones, one being a master unit and the others being slave units.

It is respectfully submitted that Sibecas does not remedy the deficiencies of Torrey.

Sibecas allegedly discloses a method for transmitting a paging message on the cellular communication system. The method includes the steps of acquiring a paging signal as a control channel for a selective call device, the paging signal indicating a geographic location, receiving a control flag indicating a cellular channel to the selective call device, registering with the cellular communication system on the cellular channel indicated by the control flag of the paging signal, sending status information from the cellular communication system to the paging communication system for authenticating the selective call device, receiving the paging message on the control channel of the paging communication system, transmitting an address and a vector on the control channel to the selective call device directing the selective call device to the cellular channel of the cellular communication system for receiving the paging message, reading a flag in the paging signal to determine if the paging communication system is requesting the selective call device to acknowledge its receipt of the address and vector, transferring the paging message to cellular communication system for transmission on the cellular channel to the selective call device in response to the paging communication system receiving an acknowledgement from the selective call device indicating that the vector was received and transmitting the paging message by a cellular base station located within the geographic location indicated by the registration information stored in the cellular system (Abstract).

In this regard, it is respectfully submitted that Sibecas is unconcerned with a cellular-based universal telephone system adapted for both cellular and land line mimicked service. Sibecas does not disclose or suggest methods and systems for providing communications connectivity to wire line phones to the services of a cellular hand set or device. It is respectfully submitted that Sibecas is non-analogous art with respect to the subject matter recited in the claims of the present application and that there is no motivation in Sibecas or the art as a whole to combine elements of the subject matter of Sibecas with the disclosure of Torrey other than the disclosure of the present application.

Furthermore, even if Sibecas were analogous art, and even if there were a motivation to combine elements of Sibecas with Torrey, it is respectfully submitted that Sibecas does not include the subject matter for which it is relied.

For example, the Office Action appears to rely on Sibecas for disclosure of a converter adapted to convert call waiting tones received from a cellular telephone unit into signals compatible with land line service for use by a land line based telephone unit and a message waiting tone converter adapted to convert message waiting tones received from the cellular telephone unit into signals compatible with land line services for use by the land line based telephone unit. However, it is respectfully submitted that the portions of Sibecas referenced in this regard are unrelated to converting call waiting tones and message waiting tones between cellular and land line based telephone technologies. Instead, the Office Action references sections related to a FLEX paging network and a GSM cellular network, portions that discuss DTMF tones, and analog-to-digital and digital-to-analog converters. It is respectfully submitted that this cited subject matter is unrelated to converting call waiting tones or message waiting tones from a cellular telephone unit into signals compatible with land line service for use by a land line based telephone unit.

The Claims are Not Obvious

Claims 2-4, 6-7, 9-11, 15, 18, 20-21 and 23-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Torrey in view of Sibecas.

In explaining the rejections of **claims 4, 9 and 10**, the Office Action stipulates that Torrey does not disclose the features of a call waiting tone converter adapted to convert call waiting tones received from said cellular telephone unit into signals compatible with land line service for use by said land line based telephone unit and a message waiting tone converter adapted to convert message waiting tones received from said cellular telephone unit into signals compatible with the land line service for use by said land line based telephone unit.

In this regard, the Office Action appears to rely on Sibecas and directs the attention of the applicant to column 2, line 35 – column 3, line 9; column 5, line 35 – column 6, line 47; FIGURE 5 and column 7, line 13 – column 8, line 40. However, as summarized by the Office Action, the referenced portions of columns 2 and 3 discuss a dual mode telephone system where a service center communicates with both a FLEX paging network and a GSM cellular network via telephone lines and transfers status

information between the paging networks and the cellular networks. It is respectfully submitted that nothing in columns 2 and 3 discloses or suggests a converter adapted to convert call waiting tones or message waiting tones from a cellular telephone unit into signals compatible with land line service for use by a land line based telephone unit. As indicated by the Office Action, the referenced portions of columns 5 and 6 discuss functions of a paging terminal **350** which include processing DTMF tones from a touchtone telephone by a DTMF to binary converter to provide digital data for processing by a controller **376** of the paging terminal **350**. However, DTMF tones are used to convey dialed digits of a telephone number or pager identification. It is respectfully submitted that disclosure related to DTMF tones does not disclose or suggest call waiting or message waiting tones. FIGURE 5 is an electrical block diagram of a portable communication unit. As explained in the referenced portions of columns 7 and 8, the portable communication device comprises a cellular telephone and a selective call receiver (pager) integrated as a single device. The device includes a GSM front end and a FLEX front end. The GSM front end performs functions, e.g., radio frequency amplification, down conversion, radio frequency and intermediate filtering operation, automatic gain control (AGC) and splitting the incoming signal into its base band in-phase and quadrature (I and Q) components. An antenna is coupled to a receiver's circuitry, e.g., FLEX front end, for receiving or acquiring a paging or messaging signals. The FLEX front end performs the same functions as the GSM front end but at a different band width. Both the GSM front end and the FLEX front end are coupled to a voltage control switch which is used to change from GSM to FLEX receiving mode under the control of a processor (column 8, lines 5-17)." As indicated by the Office Action, the portable communication device also includes an integrated circuit which is coupled to the switch and comprises an analog-to-digital converter and digital to analog converter coupled to a switch. The analog-to-digital converter converts the received FLEX and GSM signals from analog to digital form and the switch is used to switch from received to transmit mode during GSM operation. However, it is respectfully submitted that disclosure of an analog-to-digital converter, a digital-to-analog converter, and converting FLEX and GSM signals to analog form does not disclose or suggest a converter for converting call waiting tones or message waiting tones from a cellular telephone unit into signals compatible with land line service for use by a land line based telephone unit as recited in claim 4.

For at least the foregoing reasons, **claim 4**, as well as **claims 2, 3, 6 and 9-11**,

which depend therefrom, are not anticipated and are not obvious in light of Torrey and Sibecas taken alone or in any combination.

Additionally, as indicated above, Sibecas is not concerned with a universal telephone system adapted for both cellular and land line mimicked service, and there is no motivation in the art to combine elements of the disclosure of Sibecas with elements of the disclosure of Torrey. It is respectfully submitted that any such combination can only be motivated by the disclosure of the present application and any rejected based on such a combination is based on impermissible hindsight.

Claim 9 recites the system of **claim 4** further comprising a plurality of cellular telephone units, one being a master unit and the other being slave units. It is respectfully submitted that the previous Office Action stipulated that Torrey fails to disclose a plurality of cellular telephone units, one being a master unit and the others being slave units. Additionally, it is respectfully submitted that the present Office Action makes no assertion that Torrey or Sibecas disclose or suggest such an arrangement. **Claim 10** depends from **claim 9** and recites wherein the cellular telephone units have different calling line identification numbers. It is respectfully submitted that Torrey and Sibecas do not disclose or suggest the subject matter of **claim 10**.

For at least the foregoing additional reasons, **claims 9 and 10** are not anticipated and are not obvious in light of Torrey and Sibecas taken alone or in any combination.

In explaining the rejections of **claims 6 and 29**, the Office Action stipulates that Torrey fails to disclose a land line converter comprising a dual-tone, multi-frequency converter for converting DTMF signals received from said land line based telephone unit into signals compatible with cellular telephone service for use by said cellular telephone unit and appears to rely on Sibecas for such disclosure. However, in so doing, the Office Action directs the attention of the applicant to column 5, line 35 – column 6, line 47, which, as indicated by the Office Action, includes a statement that a second input port is configured to generate a sequence of DTMF tones corresponding to a cellular telephone number. However, it is respectfully submitted that disclosure of generating DTMF tones does not disclose or suggest converting DTMF signals received from said land line based telephone unit into signals compatible with cellular telephone service for use by a cellular telephone unit.

Additionally, the Office Action directs the attention of the applicant to the analog-to-digital converter and digital-to-analog converter depicted in FIGURE 5 and to discussion of converting FLEX and GSM signals from analog-to-digital form. However,

it is respectfully submitted that such disclosure does not disclose or suggest converting DTMF signals received from a land line based telephone unit to signals compatible with cellular telephone service for use by a cellular telephone unit.

For at least the foregoing additional reasons, **claims 6 and 29** are not anticipated and are not obvious in light of Torrey and Sibecas taken alone or in any combination.

In explaining the rejections of **claim 7 and 23-28**, the Office Action stipulates that Torrey does not disclose the feature of a line converter comprises at least one of a "flash" signal converter for converting "flash" signals received from said land line based telephone unit to signals compatible with cellular telephone service for use by said cellular telephone unit and an "end-of-dial" signal converter for converting "end-of-dial" signals received from said land line based telephone unit to signals compatible with cellular telephone service for use by said cellular telephone unit. The Office Action appears to rely on Sibecas for disclosure of converting flash and end-of-dial signals from a land line based telephone unit to signals compatible with cellular telephone services. However, in so doing, the Office Action directs the attention of the applicant to the same portions of columns 2, 3, 5, 6, 7 and 8 discussed above with reference to **claim 4**. It is respectfully submitted that the referenced sections of Sibecas do not disclose or suggest converting flash or end-of-dial signals as recited in **claim 7**.

For at least the foregoing reasons, and the reasons related to non-analogous art and impermissible hindsight discussed above, **claim 7** as well as **claims 23, 24 and 27-30**, which depend therefrom, is not anticipated and is not obvious in light of Torrey and Sibecas taken alone or in any combination.

Furthermore, arguments similar to those submitted in support of **claims 9 and 10** are submitted in support of **claims 23 and 24**.

In explaining the rejections of **claims 15, 20 and 31**, the Office Action stipulates that Torrey does not disclose converting call waiting tones received from cellular telephone unit into signals compatible with land line service for use by said land line based telephone unit and via said mobile converter, converting message waiting tones received from said cellular telephone unit into signals compatible with land line service for use by said land line based telephone unit and via a land line converter coupled to said land line telephone unit and to said land line telephone wiring circuit converting designated land line signals from said land line telephone unit into signals compatible with cellular telephone service for use by said cellular telephone unit.

In this regard, the Office Action appears to rely on Sibecas and provides an

explanation similar to the explanation provided in the rejection of **claims 4, 9 and 10**. Arguments similar to those submitted in support of **claims 4, 9 and 10** are submitted in support of **claims 15, 20, 31 and 21** (Note: it appears that the reference in this point in the Office Action to **claim 31** may be a typographical error and that the Office Action was meant to refer to **claim 21**).

For at least the foregoing reasons, **claim 15** as well as **claims 20, 21 and 31**, which depend therefrom, is unanticipated and is not obvious in light of Torrey and Sibecas taken alone or in any combination.

In explaining the rejections of **claims 18 and 32**, the Office Action stipulates the Torrey does not disclose the steps of converting "flash" signals received from said land line based telephone unit to signals compatible with cellular telephone service for use by said cellular telephone unit and via said land line converter, converting "end-of-dial" signals received from said land line based telephone unit to signals compatible with cellular telephone service for use by said cellular telephone unit. The Office Action appears to rely on Sibecas for this disclosure and provides an explanation similar to that provided in the rejections of **claims 11 and 30**. In this regard, arguments similar to those submitted in support of **claims 11 and 30** are submitted in support of **claims 18 and 32**.

For at least the foregoing reasons, **claim 18**, as well as **claims 25, 26 and 32**, which depend therefrom, is unanticipated and is not obvious in light of Torrey and Sibecas taken alone or in any combination.

Additionally, arguments similar to those submitted in support of **claims 9 and 10** are submitted in support of **claims 24 and 25**.

Telephone Interview

In the interests of advancing this application to issue the Applicant(s) respectfully request that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 2-4, 6, 7, 9-11, 15, 18, 20, 21 and 23-32 remain in the application. For the reasons detailed above, it is respectfully submitted that the claims are now in condition for allowance. An early indication thereof is respectfully requested.

Respectfully submitted,

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